

REMARKS

Reconsideration of this application is respectfully requested in view of the following remarks.

Claims 1-22 were pending in this application. In this Amendment, Applicant has amended claims 2, 3, 13, and 21, and has canceled claim 1. Applicant has also amended claim 15 to correct a typographical error. Accordingly, claims 2-22 will be pending upon entry of this Amendment.

In the Office Action mailed December 31, 2007, claims 1 and 13-22 were rejected under 35 U.S.C § 102(e) as being anticipated by U.S. Patent. No. 6,941,110 to Klover et al. ("Klover"). Claim 3 was rejected under 35 U.S.C § 103(a) as being unpatentable over Klover in view of U.S. Publication No. 2002/0071402 to Kockmann et al. ("Kockmann"). Claims 2 and 4-12 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Applicant acknowledges with thanks the Examiner's indication of allowable subject matter in claims 2 and 4-12. Although Applicant maintains that Klover falls short of teaching the features recited in previously pending independent claims 1, 13, and 21, in view of the indications of allowable subject matter, and to expedite prosecution, Applicant has rewritten claim 2 in independent form to additionally recite all of the limitations of base claim 1, consistent with the Examiner's indications. Claim 3, which formerly depended from canceled claim 1, has been amended to depend from claim 2. Accordingly, claim 2 and dependent claims 3-12 should be allowable upon entry of this amendment.

Independent claims 13 and 21 have also been amended to recite substantially the same subject matter indicated as allowable in claim 2. For example, analogous to the method recited in claim 2, amended claim 13 recites a system that includes, among other things, a module to avoid interference identified from at least one other RF module, wherein hopping frequencies employed by the first RF module cluster in one or more frequency ranges, wherein the interference is identified by selecting a plurality of test channels in accordance with a channel structure of the interferer, selecting a frequency that is potentially occupied by an interferer that is the source of the interference in each selected channel, measuring a received signal strength associated with each selected channel, and identifying the interferer in accordance with the measured received signal strength indicators.

Similarly, amended claim 21 recites an RF communications device that includes, among other things, a transceiver with capability of detection of an interferer employing a different RF communications protocol and a microcontroller that facilitates the clustering into one or more frequency ranges of a set of channels employed by the first transceiver, wherein the detection of an interferer comprises selecting a plurality of test channels in accordance with a channel structure of the interferer, selecting a frequency that is potentially occupied by an interferer that is the source of the interference in each selected channel, measuring a received signal strength associated with each selected channel, and identifying the interferer in accordance with the measured received signal strength indicators.


Accordingly, Applicant respectfully submits that claims 13 and 21, as well as their respective dependent claims 14-20 and 22, should be allowable for the same reasons that the Examiner has deemed claim 2 to be allowable.

In view of the foregoing, all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone Applicant's undersigned representative at the number listed below.

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Respectfully submitted,

Date: March 3, 2008

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